

REGULAR MEETING OF THE CITY COUNCIL
CITY OF CALEDONIA, MINNESOTA
Monday, March 26, 2012

CALL TO ORDER. Following due call and notice thereof, Mayor Burns called the meeting to order at 6:00 p.m. in the Council Room, City Hall.

ROLL CALL. Members present: Mayor Robert H. Burns; Council Members: Randi Vick, Tom Murphy, Bob Lemke, and Paul Fisch. Members absent: None. Consultants and City staff present: City Clerk/Administrator Jennifer Feely, Administrative Coordinator Mike Gerardy, Light Department Line Foreman Matt Blocker, and Accountant Stephanie Mann. Visitors present: Bob and Jan Klug, Karen Ness, and Caledonia Argus Reporter Charlie Warner.

AGENDA APPROVAL. A motion was made by Mayor Burns, seconded by Member Lemke, to approve the agenda with the following addition: Karen Ness – Circus Event. All members present voted in favor and the motion was declared carried.

CONSENT AGENDA. A motion was made by Mayor Burns, seconded by Member Lemke, to approve the consent agenda. Voting in Favor: Burns, Lemke, Vick, and Fisch. Voting Against: None. Abstaining: Murphy. The motion was declared carried.

A. MINUTES OF PAST MEETINGS. To approve the minutes of the Regular Meeting held Monday, March 12, 2012, as presented.

B. APPLICATION FOR GAMBLING PERMIT: EITZEN FIRE DEPARTMENT. To approve an application for the Eitzen Fire Department to sell pull-tabs and tipboards at Elsie's Bar and Grill.

C. APPLICATION FOR EXEMPT PERMIT: CALEDONIA LIONS CLUB. To approve an application for an exempt permit for the Caledonia Lions on May 1, 2012 at Good Times Restaurant and Bar.

D. APPLICATION FOR EXEMPT PERMIT: CALEDONIA FIRE DEPARTMENT. To approve an application for an exempt permit for the Caledonia Fire Department at The Ranch.

VISITORS AND COMMUNICATIONS.

A. BOB AND JAN KLUG. Bob and Jan Klug, 223 East South Street, were in attendance to discuss various concerns as a result of the construction of the Houston County Justice Center. The following concerns were identified by the Klug's: (1) Lack of required green space as stipulated in Section 153.094 of the Caledonia Zoning Ordinance; (2) Lighting concerns with 24 hour lighting; (3) Noise concerns with an exhaust fan on the roof of the Houston County Justice Center that was compared to that of a civil defense siren; and (4) Concern with the Sheriff's Department training dogs at 10:30 p.m. in the evening. Discussion ensued. No action was taken as the consensus of the Council was to perform a review of prior minutes to determine if there was discussion concerning green space before construction took place and to check the brightness of the 24 hour lighting, and then revisit at an upcoming meeting.

B. AMERICAN LEGION DEDICATION EVENT. Nick Frank, Rick Frank, and Bob Conway were in attendance on behalf of American Legion Baseball to discuss their plans to coordinate a dedication event at the ballfield on Thursday, June 28. It was noted that the tentative plan is to have Rooster Andy's sell chicken at the event as well as have on-sale beer. It was further noted that the beer sale proceeds would go towards the American Legion, while a portion of the chicken sales would go towards the maintenance of the ballfield. It was explained that the current American Legion baseball team and an alumni team from two years ago would have a game on the main field, with a little league game to take place on another field. City Clerk/Administrator Feely shared that she was currently in the process of coordinating a time with the MN Twins to have a representative present for the dedication event as the City received a grant from the MN Twins to help offset the costs associated with completing the ballfield renovation project. Discussion ensued. The consensus of the Council was to support the City and American Legion partnering together to coordinate a ballfield dedication event at the ballfield on June 28 in an effort to recognize the organizations and individuals involved with the recent field renovation project. Nick Frank then inquired about the possibility of the City ordering new bulbs for the lights at the ballfield as Brian Langen would donate the free use of his crane to change out the bulbs. A motion was made by Mayor Burns, seconded by Member Vick, to replace the 64 light bulbs at the ballfield so long as a portion of the proceeds of the ticket sales of the meal goes towards the cost to purchase new light bulbs. All members present voted in favor and the motion was declared carried.

C. 2012 ELECTRICAL PROJECT AWARD. City Clerk/Administrator Feely shared that attached with the agenda were the following bids received for the 2012 Electrical Project:

Karian Peterson Power Line Contracting, LLC	\$370,139.80
PUSH, Inc.	\$393,511.43
M.J. Electric	\$535,332.51.

It was noted that after reviewing and tabulating the bids, Star Energy Services recommended approval of the bid from Karian Peterson Power Line Contracting in the amount of \$370,139.80. Light Department Line Foreman Matt Blocker was in attendance and stated that he recommended approval of the bid from Karian Peterson Power Line Contracting. Mr. Blocker shared that the total cost for labor and materials came in at \$691,182, which was less than the previous estimate of \$897,004. Discussion ensued. A motion was made by Mayor Burns, seconded by Member Vick, to accept the bid for labor in the amount of \$370,139.00 from Karian Peterson, and to approve the cost of materials for the project at \$269,843, resulting in a total project cost of \$691,182. All members present voted in favor and the motion was declared carried. Discussion then ensued regarding the need to purchase a new locator for the Light Department. A motion was made by Mayor Burns, seconded by Member Lemke, to authorize spending up to \$10,000.00 on a new locator while sending the existing one to be repaired to have as a back-up if the cost to do so wasn't unreasonable. All members present voted in favor and the motion was declared carried.

D. POLICE DEPARTMENT STANDBY DISCUSSION. Police Chief Kurt Zehnder and Sergeant Jim Stemper were in attendance to discuss with the City Council their concerns with eliminating standby time. Sergeant Stemper stated that eliminating standby time could endanger the integrity of an investigation of a violent crime, and that it would be a grave mistake to get rid of standby time. Chief Zehnder stated that there was a concern with the headline in the

newspaper telling the public that there wouldn't be coverage in the early morning hours. Chief Zehnder went on to point out that there is not always a sheriff's deputy in Caledonia, as there is just one deputy on duty during the time in which Caledonia generally issues standby time. Discussion ensued. Mayor Burns stated that the bottom line is a concern with the budget and noted that many other communities are eliminating standby time as a means to reduce budget costs. Member Murphy inquired as to whether all 911 calls are responded to. Chief Zehnder stated that the Caledonia Police Department has been negatively affected by the elimination of standby time as the Sheriff's deputies are not pleased with having to cover Caledonia during the early morning hours as they are responsible for covering the entire county during this time. Member Fisch inquired as to why Chief Zehnder initially stated that eliminating standby time wouldn't be an issue and now is backtracking. Chief Zehnder stated that he realizes that there are some nights that eliminating standby coverage will work and others that will not. Sergeant Stemper stated that there is a concern with being free and clear after duty in that if officers are not assigned call time, they may not be available to respond. A motion was made by Mayor Burns, seconded by Member Vick, to rescind the March 12 decision to discontinue assigning standby time on a regular basis as doing so would not be in the best interest of the public's safety. All members present voted in favor and the motion was declared carried.

E. ADJOURN INTO CLOSED SESSION FOR PRELIMINARY CONSIDERATION OF CHARGES AGAINST AN INDIVIDUAL SUBJECT TO THE CALEDONIA CITY COUNCIL'S AUTHORITY. City Clerk/Administrator Feely stated that as per Minnesota Statutes 13D.05, subdivision 2(b), a body shall close one or more meetings for preliminary consideration of allegations or charges against an individual subject to its authority. Tim Evans waived his right to have the meeting remain open. Mayor Burns adjourned into closed session at 8:13 p.m. and re-opened the meeting at 8:45 p.m. A motion was made by Member Lemke, seconded by Member Murphy, to suspend Timothy Evans without pay for two days. Voting in Favor: Murphy, Lemke, and Fisch. Voting Against: Burns and Vick. The motion was declared carried.

F. HOUSTON COUNTY AG SOCIETY: REVISIT STRONG BEER REQUEST. Emily Johnson and Eldon Pohlman were present on behalf of the Houston County Ag Society to request the Council's consideration in revisiting granting a temporary on-sale strong beer liquor license for five consecutive days as per the okay granted by the Minnesota Department of Alcohol Enforcement. City Clerk/Administrator Feely shared that per her research, the statute does not appear to permit a temporary on-sale strong beer license to exceed four consecutive days. However, Feely noted that the City could grant the temporary on-sale liquor license for the fifth day based on the Minnesota Department of Alcohol Enforcement's approval even though the City does not agree with their interpretation of the statute. Discussion ensued. A motion was made by Mayor Burns, seconded by Member Lemke, to grant a temporary on-sale strong beer license for the fifth day to the Houston County Ag Society based upon the Minnesota Department of Alcohol Enforcement's approval of such a license even though doing so is contrary to the City's interpretation of the statute governing temporary liquor licenses. All members present voted in favor and the motion was declared carried.

G. CHAMBER OF COMMERCE CIRCUS REQUEST: KAREN NESS. Karen Ness was present on behalf of the Caledonia Area Chamber of Commerce in an effort to inquire about any permits necessary to hold a circus in Caledonia. Discussion ensued. Ms. Ness will continue

researching viable locations to hold a circus and then submit a request for the necessary permit at an upcoming meeting. No action was taken.

H. ADMINISTRATIVE COORDINATOR TOPICS.

1. KIM KLUG ZONING REQUEST. A motion was made by Mayor Burns, seconded by Member Lemke, to approve a 5' setback variance on the east (side) property line for the property located at 213 West South Street for the purpose of constructing a 10' x 16' utility shed. All members present voted in favor and the motion was declared carried.

2. STREET DEPARTMENT LOADER. A motion was made by Member Fisch, seconded by Member Murphy, to approve purchasing a 36 month/1500 hour warranty at a cost of \$961.00 for the new Street Department loader. Discussion ensued regarding building the cost of the warranty into the certificate of indebtedness. All members present voted in favor and the motion was declared carried.

3. PEDESTRIAN CROSSING SIGN. Administrative Coordinator Gerardy inquired whether there was an interest in purchasing a new pedestrian crossing sign to set up on Main Street during the summer months. Discussion ensued. The consensus of the Council is to use the existing pedestrian crossing sign versus buying a new sign. No action was taken.

4. PLOW TRUCK QUOTE. Administrative Coordinator Gerardy shared that he looked at over 5,000 trucks on line in 2011 and that due to EPA regulations, the City should plan to add another \$8,000-\$9,000 to the projected cost of a new plow truck. The consensus was to take the information under advisement and make a determination at an upcoming meeting.

I. CITY ACCOUNTANT TOPICS.

1. CASH AND INVESTMENT REPORT. Accountant Mann was in attendance to report that as of January 31, 2012, the total cash balance was \$1,151,949.03, and the total investment balance was \$2,447,285.87. Discussion ensued.

2. FEBRUARY BUDGET WORKSHEET. Attached with the agenda was the budget sheet through February 29, 2012. Discussion ensued.

3. 2011 ACTUALS. Accountant Mann reviewed 2011 actual budget figures. It was noted that the estimated pre-audit general fund balance at December 31, 2011 was \$42,264.72. Discussion ensued. No action was taken.

4. AMEND 2011 BUDGET. Accountant Mann reviewed proposed 2011 budget amendments. A motion was made by Member Fisch, seconded by Member Vick, to approve Accountant Mann's proposed 2011 budget amendments. All members present voted in favor and the motion was declared carried.

J. COMMUNICATIONS.

1. NOTICE FROM MEDIACOM. City Clerk/Administrator Feely shared that attached with the agenda was a notice from Mediacom regarding channel changes.

OLD BUSINESS.

A. UTILITY EASEMENT VACATION. City Clerk/Administrator Feely shared that she is awaiting a response from the City Attorney regarding a utility easement matter.

NEW BUSINESS.

A. RESIGNATION OF PART-TIME LIQUOR STORE CLERK. City

Clerk/Administrator Feely shared that attached with the agenda was a letter of resignation from part-time liquor store clerk Zach Thomas. A motion was made by Member Lemke, seconded by Member Murphy, to accept the resignation of Zach Thomas as a part-time liquor store clerk for the Caledonia Liquor Store. All members present voted in favor and the motion was declared carried.

B. PHONE LINE CONTROLLER FOR EMERGENCY PHONE IN ELEVATOR LIFT.

City Clerk/Administrator Feely shared that attached with the agenda was a quote for a phone line controller for the emergency phone in the elevator lift at the City's auditorium. Discussion ensued. A motion was made by Mayor Burns, seconded by Member Vick, to approve the purchase of a phone line controller for the emergency phone in the elevator lift at the City auditorium from ACE Communications in the amount of \$272.33. All members present voted in favor and the motion was declared carried.

C. RESOLUTION ACCEPTING GRANT FROM TRI-COUNTY ELECTRIC. City

Clerk/Administrator Feely shared that attached with the agenda was a resolution accepting a \$250.00 grant from Tri-County Electric's Operation Round Up Program for the purpose of offsetting costs associated with the proposed aquatic center project. A motion was made by Member Fisch, seconded by Member Vick, to accept the \$250.00 grant from Tri-County Electric for the purpose of being applied to the proposed aquatic center project. All members present voted in favor and the motion was declared carried.

D. DRAFT MODEL CITY SOLID WASTE ORDINANCE. City Clerk/Administrator Feely shared that attached with the agenda was a draft model city solid waste ordinance. Discussion ensued. The consensus was for City Clerk/Administrator Feely to make the necessary changes to the draft model ordinance and send to the City Attorney for his review before bringing back to the City Council for their final review and approval. No action was taken.

CLERK'S REPORT.

A. EMPLOYEE TIME RECORD. Attached with the agenda were the Employee Time Records for March 5, 2012-March 18, 2012.

B. DISCHARGE MONITORING REPORT. Attached with the agenda was a discharge monitoring report showing an average Nitrogen Level of 8.18 mg/L.

C. FRIDAY FAX FROM LMC. City Clerk/Administrator shared that attached with the agenda was another Friday Fax from the LMC.

D. STATUS OF AFG AWARD. City Clerk/Administrator Feely shared an update with respect to AFG award that was acquired to fund fire department communications equipment throughout Houston County. No action was taken as this was included for informational purposes.

E. W/WW SUPERVISOR VACANCY UPDATE. City Clerk/Administrator Feely provided an update with respect to the W/WW supervisor vacancy.

F. CITY CLERK/ADMINISTRATOR TWO-YEAR PERFORMANCE REVIEW. City Clerk/Administrator Feely inquired as to when the City Council would like to conduct her two-year performance evaluation. The consensus of the Council was to conduct the performance evaluation at the upcoming meeting.

G. WATER METERS AND SEWER REHAB PROJECT SCHEDULE UPDATE. City Clerk/Administrator Feely provided an update with respect to the water meter and sewer rehab project timeline.

H. RECAP OF EDA HIGHWAY BUSINESS DISTRICT MEETING. City Clerk/Administrator Feely provided a recap of the recent EDA Highway Business District meeting held.

I. OVERVIEW OF UPCOMING COMMUNITY SERVICE ORGANIZATION REVITALIZATION MEETING. City Clerk/Administrator Feely provided an overview of the upcoming EDA Community Service Organization Revitalization Meeting.

MISCELLANEOUS. None.

ADJOURNMENT. A motion to adjourn was made by Mayor Burns, seconded by Member Lemke, at 10:15 p.m. All members present voted in favor and the motion was declared carried.

Jennifer Feely
City Clerk/Administrator

Robert H. Burns
Mayor